## IN THE UNITED STATES DISTRICT COURT

## FOR THE EASTERN DISTRICT OF TEXAS

## TYLER DIVISION

BENNY D. MAYBERRY, #1606103 §

VS. § CIVIL ACTION NO.6:10cv520

TARRANT COUNTY SHERIFF, ET AL. §

## ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

**ORDERED** that the complaint is **DISMISSED** without prejudice pursuant to Fed. R. Civ. P. 41(b) and Rule 41, Local Rules for the Eastern District of Texas.

So ORDERED and SIGNED this 22nd day of November, 2010.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE